

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 203.3, C. to permit a double-faced, free-standing sign containing 48 square feet (24 sq. ft. per face) in lieu of the permitted 8 square foot sign attached to the building.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Main entry and parking are not on Franklin Blvd., diminishing the sites physical and visual accessibility.
2. Entries to the individual offices on the site all face away from Franklin Blvd., reducing visibility of the tenant's business and the project as a whole.
3. The sign area and location allowed by code will not be readable by the passerby on Franklin Blvd.
4. Sign type allowed by code will detract from residential character of the project architecture.

Property is to be posted and advertised as prescribed by Zoning Regulations. NW 14 J

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

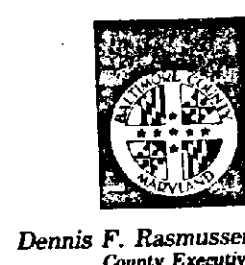
Address

City and State

Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of September, 1987, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of October, 1987, at 11:00 o'clock A.M.

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building, Suite 408
Towson, Maryland 21204
494-3554



July 10, 1987

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

The Bureau of Traffic Engineering has no comments for items number 529, 530, 532, 533, 536, 537, 538, 539, and 540.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th
Posted for: Variance
Petitioner: Cherry Hill Limited Partnership
Location of property: SE/5 Cherry Hill Rd., 46' W. of c/l of Owings Ct., 4th Election District
Location of Sign: NW Corner of Franklin Blvd. and Owings Ct.

Remarks: S.J. Arata
Posted by: S.J. Arata
Number of Signs: 1
Date of return: October 9, 1987

IN RE: PETITION FOR ZONING VARIANCE
SE/5 Cherry Hill Rd., 46' W. of c/l of Owings Court
(221-225 Cherry Hill Rd. West)
4th Election District
3rd Councilmanic District
Cherry Hill Ltd. Partnership
Petitioner
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-149-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a double-faced, freestanding sign containing 48 sq.ft. (24 sq.ft. per face) in lieu of the permitted 8 sq.ft. sign attached to the building, as more particularly described on Petitioner's Exhibit 1.

The Petitioner was represented by Thomas J. Long of AGI Designs who appeared and testified. Robert Barrett appeared and testified as a Protester.

Testimony indicated that the subject property is zoned P-O and located at the corner of Franklin Boulevard and Owings Court. The proposed sign, as more particularly described in Petitioner's Exhibit 3, is to be located on the corner as shown on Petitioner's Exhibit 1. The Petitioner testified that, in his opinion, the requirements of Section 307 of the Baltimore County Zoning Regulations (BCZR) are satisfied by the facts of this case. Testimony established that the allowed 8 sq.ft. sign on the building is not large enough to identify the building. The side of the building is too far from the street to be read by automobile traffic.

The Protester, Mr. Barrett, testified he was concerned with the placement of the sign with reference to line of sight for auto traffic and children crossing the street. He also stated he was happy with the design and placement of the sign as shown in Petitioner's Exhibit 3.

The testimony is that if the variance were granted, such use as proposed would not be contrary to the spirit and intent of the BCZR and would not result in substantial detriment to the public good.

ORDER RECEIVED FOR FILING
Date: 10/29/87
By: [Signature]

Pursuant to the advertisement, posting of the property and public hearing held on the Petition, and it appearing that strict compliance with the BCZR would result in practical difficulty upon the Petitioner, the variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 3rd day of November, 1987 that the Petition for Zoning Variance to permit a double-faced, freestanding sign containing a total of 48 sq.ft. in lieu of the permitted 8 sq.ft. sign attached to the building, be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The proposed sign is restricted to the design and graphics shown in Petitioner's Exhibit 3.
3. The sign shall not be lighted in any manner.
4. The sign shall not be closer than 10 feet to the curb line of Franklin Boulevard.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
Date: 10/29/87
By: [Signature]

PETITION FOR ZONING VARIANCE
4th Election District - 3rd Councilmanic District
Case No. 88-149-A

LOCATION: Southeast Side of Cherry Hill Road, 46 feet West of the Centerline of Owings Court (221-235 Cherry Hill Road West)

DATE AND TIME: Thursday, October 29, 1987, at 11:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a double-faced, free-standing sign of 48 square feet (24 square feet per face) in lieu of the permitted 8 square foot attached to the building sign.

Being the property of Cherry Hill Limited Partnership, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

J. ROBERT HAINES
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE
SE/5 Cherry Hill Rd., 46' W C/L
Owings Ct., 4th Election Dist. : OF BALTIMORE COUNTY
CHERRY HILL LIMITED PARTNERSHIP, : Case No. 88-149-A
Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 2nd day of October, 1987, a copy of the foregoing Entry of Appearance was mailed to Michael B. Glick, General Partner, Cherry Hill Limited Partnership, 111 Water St., #210, Baltimore, MD 21202, Petitioner.

RECEIVED
OCT 2 1987
Peter Max Zimmerman
Peter Max Zimmerman

ZONING OFFICE

ZONING DESCRIPTION

Beginning on the North side of Franklin Blvd. 75 feet wide, at the distance of 46 feet west of the centerline of Owings Court. As recorded in Baltimore County Record Plat as EHK Jr. Liber 55 folio 42, Parcel A. Also known as 221, 223, 225, 227, 229, 231, 233, 235 Cherry Hill Road West, in the Councilmatic District 3, and in the 4th Election District.

88-149-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 21st day of September, 1987.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: Cherry Hill Limited Partnership
Petitioner's ship
Attorney: ship
Received by: [Signature]
Chairman, Zoning Plans
Advisory Committee

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: Cherry Hill Ltd. Partnership

Location: N/S Franklin Blvd. 46' W. c/l Owings Court

Item No.: 539

Zoning Agenda: Meeting of 6/30/87

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- (x) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature]
Planning and Zoning
Special Inspection Division

Noted and Approved: [Signature]
Fire Prevention Bureau

/31

7-15-87
Date

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 539, Zoning Advisory Committee Meeting of 6-30-87

Property Owner: Cherry Hill Ltd. Partnership
Location: 115 Franklin Blvd. District 4
Water Supply: mltio Sewage Disposal: mltio

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- (✓) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

WWQ 1 4/86

Zoning Item # 539 Zoning Advisory Committee Meeting of 6-30-87
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
 - { } The results are valid until
 - { } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
 - { } shall be valid until
 - { } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- (✓) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others

Karen M. Dierrey
Division of Water and Sewer
Department of Environmental Protection
and Resource Management

WWQ 2 4/86

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 16, 1987

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

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MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Michael B. Glick
Cherry Hill Limited Partnership
111 Water Street, #210
Baltimore, Maryland 21202

RE: Item No. 539 - Case No. 88-149-A
Petitioner: Cherry Hill Limited Partnership
Petition for Zoning Variance

Dear Mr. Glick:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer/KAB
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: D.S. Thaler & Associates, Inc.
11 Warren Road
Baltimore, Maryland 21208

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commission

Date: October 19, 1987

Norman E. Gerber, AICP
FROM: Director of Planning and Zoning

SUBJECT: Zoning Petition No. 88-149-A

The Office of Planning and Zoning has reviewed this request, and we are pleased with the proposed main identity sign.

As to the proposed variance for the directory panel, we believe it should comply with standards set forth in the Baltimore County Zoning Regulations; therefore, we are opposed to this variance request.

Norman E. Gerber, AICP
Norman E. Gerber, AICP
Director of Planning and Zoning

NEG:HSK:dme

RECEIVED

OCT 26 1987

ZONING OFFICE

CPS-008

November 3, 1987

Mr. Michael B. Glick
General Partner
Cherry Hill Limited Partnership
111 Water Street, Suite 210
Baltimore, Maryland 21202

RE: Petition for Zoning Variance
32/3 Cherry Hill Rd., 46' W of c/l of Owings Ct.
(221-225 Cherry Hill Rd. West)
4th Election District; 3rd Councilmanic District
Cherry Hill Limited Partnership - Petitioner
Case No. 88-149-A

Dear Mr. Glick:

Enclosed please find the decision rendered in the above-referenced case. Your Petition for Zoning Variance has been granted, subject to the restriction noted in the attached Order.

If party is dissatisfied with the decision rendered, please be advised that party may file an appeal to the County Board of Appeals. Please call the office for further information.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

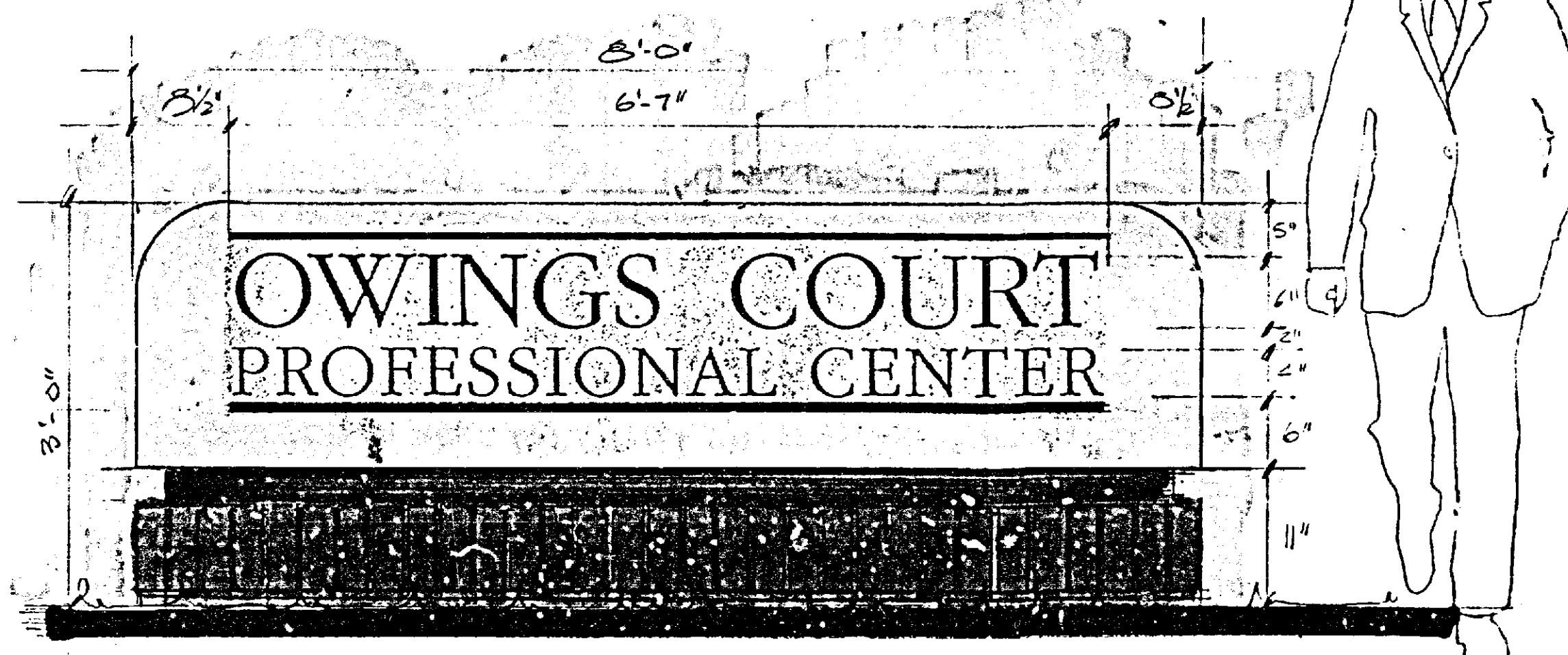
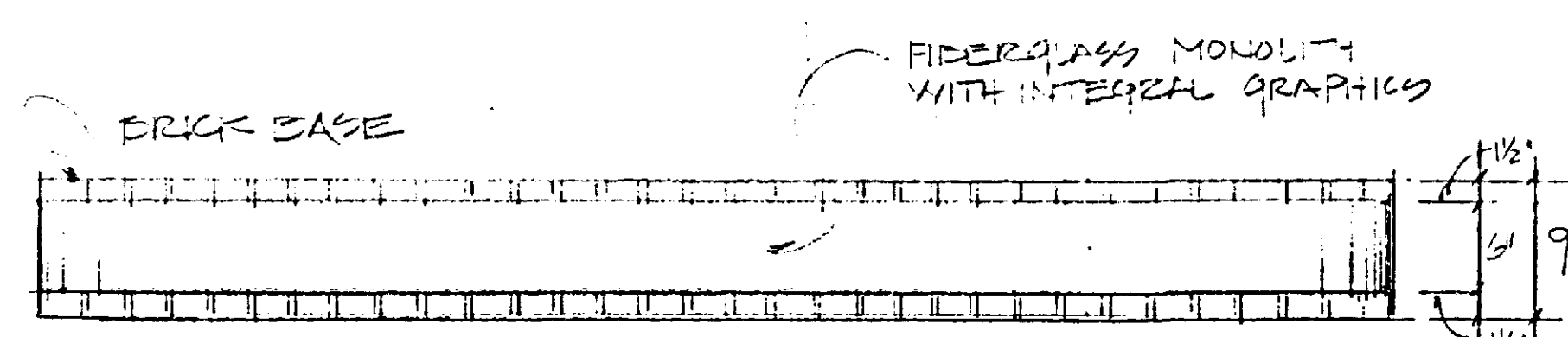
JRH:bjs

Enclosures

cc: Mr. Robert Barrett, Protester
401 Beacon Brook Circle, Reisterstown, Md. 21136

People's Counsel

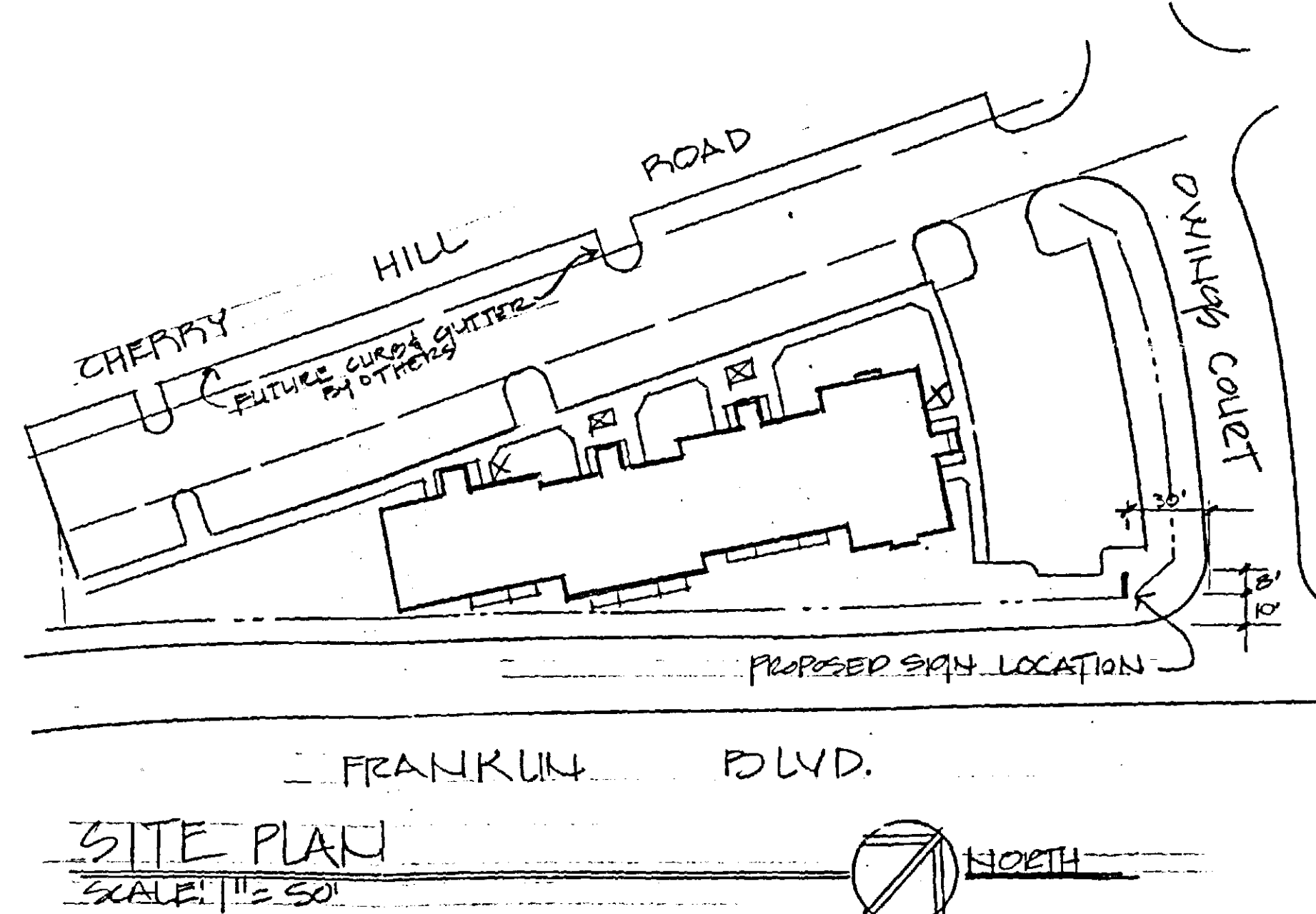
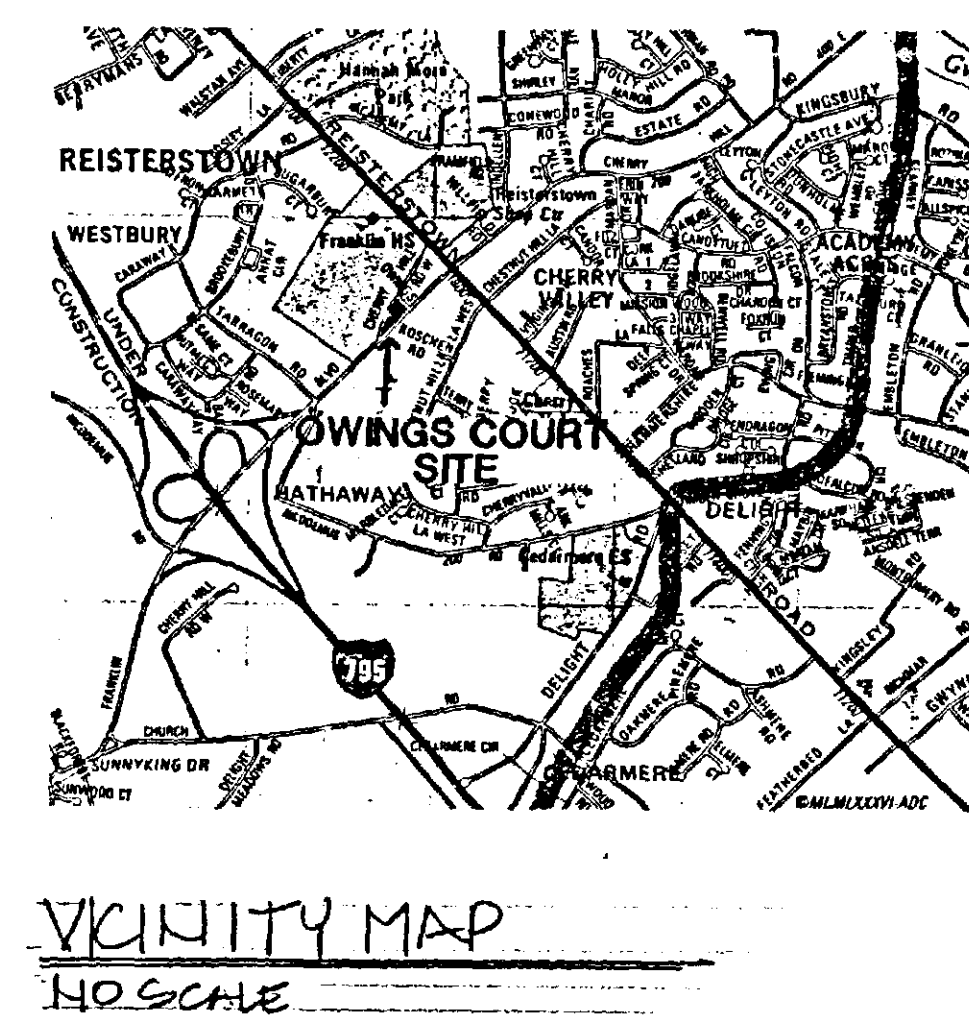
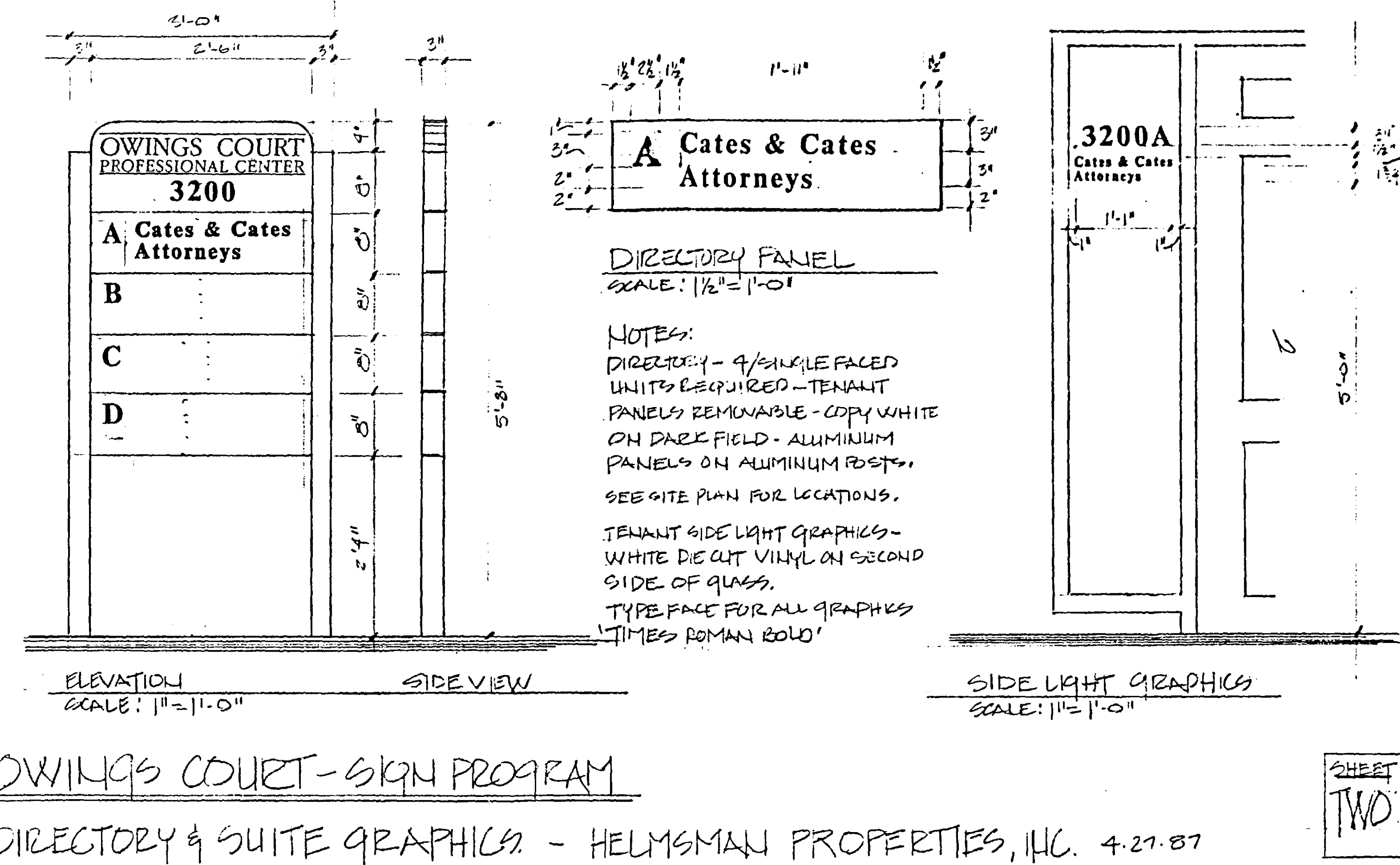
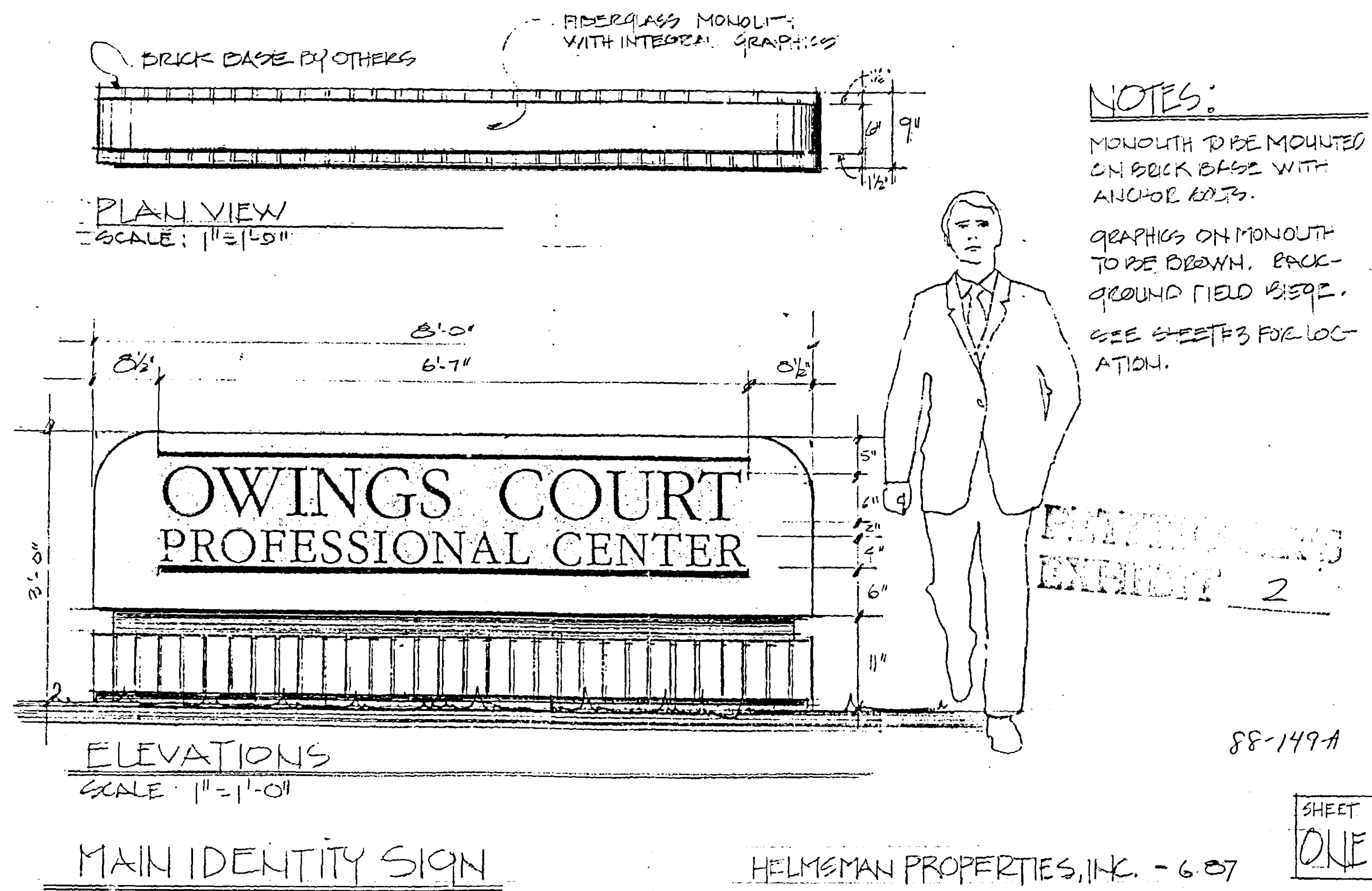
File



ELEVATION
SCALE: 1"=1'-0"

MAIN IDENTITY SIGN CONCEPT - HELMSMAN PROPERTIES, INC. 4-6-87

AUG 1 1988



OWINGS COURT SIGN PROGRAM

IDENTITY SIGN LOCATION - HELMSMAN PROPERTIES, INC. 6.87

SHEET THREE

